

Order

Michigan Supreme Court
Lansing, Michigan

October 17, 2008

Clifford W. Taylor,
Chief Justice

136617

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

GARY L. BUSH, Guardian of GARY E. BUSH,
a Protected Person,
Plaintiff-Appellee,

v

SC: 136617
COA: 274709
Kent CC: 06-000982-NM

BEHROOZ-BRUCE SHABAHANG, M.D.,
GEORGE T. SUGIYAMA, M.D., M. ASHRAF
MANSOUR, M.D., VASCULAR ASSOCIATES,
P.C., and SPECTRUM HEALTH
BUTTERWORTH CAMPUS,
Defendants,

and

JOHN CHARLES HEISER, M.D., and WEST
MICHIGAN CARDIOVASCULAR SURGEONS,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the May 1, 2008 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on November 19, 2008, at 9:30 a.m., on whether to grant the application or take other peremptory action. MCR 7.302(G)(1). At oral argument, the parties shall address whether that portion of the Court of Appeals judgment holding that the direct liability claims against defendants West Michigan Cardiovascular Surgeons and Spectrum Health Butterworth Campus should be dismissed without prejudice is inconsistent with this Court's decision in *Boodt v Borgess Medical Center*, 481 Mich 558, 563-564 (2008).

We further ORDER that this case be argued and submitted to the Court together with the cases of *Bush v Shabahang*, Docket Nos. 136653 and 136983. The parties may file supplemental briefs no later than November 12, 2008. They should not submit mere restatements of their application papers.



d1014

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 17, 2008

Corbin R. Davis

Clerk